

# Instructions for Completing Privacy Inventory Worksheet

## Part I: Personal Information Inventory

### 1. Name of Record System Containing Personal information

Records System: Group of records maintained by an agency for official purposes. (Same as Records Series in Records Retention Handbook: Group of related records under a single filing category that deal with a particular subject or result from the same activity.)

Personal Information: Information that identifies or describes an individual, such as name, home address, home phone number, Social Security number, physical description, education, financial information, medical or employment history, and statements made by or attributed to the individual (Civil Code § 1798.3(a)). This includes personal information on all individuals: applicants, licensees, consumers, board members, contractors, and employees. .

### 2. Description of Records in System

Describe briefly. For example: personnel files of current employees; applications for specific kind of license, benefit or service; records of holders of specific kind of license; records of recipients of services; providers of services; consumer complaints.

### 3. Sources of Records in System

Describe briefly. For example: Information is collected from the subject on program application. Information is collected from transcripts provided by schools. Information is provided by another agency (specify).

### 4. Owner and Locations of Records System

A) Owner: Name and address of agency/department/division/program owning records system.

B) Location of original records: HQ=main office; FO=field office (give address), SDC=state data center (give name); O=other (give address).

C) Additional locations of records: For example, department staff or contractors may have copies of records from the system in their workstations.

D) Contact: Name, title and business contact information (phone, address) of agency official responsible for the records system.

### 5. Authority for Maintenance of the Records System

Cite statute, regulation or executive order authorizing collection and maintenance of the records system.

### 6. Media of Records in the System

A) Medium of original records system: Electronic, paper, tape, other.

- B) Additional media: List all other media on which records are maintained or used. For example: Paper, PC, laptop computer, tape, CD, other portable computing or electronic storage device.

## **7. Type of Personal Information in Records System**

List the type(s) of information.

- A) Notice-Triggering Information: Name plus one or more of the following:
- SSN = Social Security Number,
  - DL/ID = Driver's license or state ID card number,
  - FIN = Checking account, savings account, other financial account number.
- B) Medical/Health Information, including Protected Health Information or Electronic Health Information or any medical or health-related information.
- C) Other Personal Information: For example, Home Address, Home Phone, Mother's Maiden Name, Date of Birth, Educational History.

## **8. Confidential or Sensitive Information in Records System**

Describe the confidential or sensitive information in the records system. Confidential information includes information exempt from disclosure under the Public Records Act, such as records pertaining to pending litigation, personnel records, some draft documents. (See Government Code § 6254 etc.) Sensitive information may include departmental banking information, network configuration, IP addresses, other data related to information security.

## **9. Routine Uses and Disclosures of Records**

Describe the routine uses of records in the System, including users and purposes for which the records are used. List the known or foreseeable disclosures of the records outside the department of the Records System owner (for example, disclosure to researchers, to law enforcement, to other state agencies).

## **Part II: Privacy Practices Inventory**

### **1. Privacy Policy Statement Posted<sup>1</sup>**

A) Is your department's/agency's privacy policy statement posted in your offices? Yes or no.

B) Is the privacy policy statement posted on your web site? Yes or no.

### **2. Rules of Conduct<sup>2</sup>**

Do you have written rules of conduct or procedures for staff who design, develop, operate, disclose, or maintain records containing personal information? Yes or no. If yes, attach copy.

### **3. Access Guidelines for Record Subjects<sup>3</sup>**

Do you have written regulations or guidelines on how individuals can get access to their own records (i.e. to inspect, get copies, request amendments or file statements disputing information in the records)? Yes or no. If yes, attach copy.

### **4. Notice on Collection<sup>4</sup>**

Do you provide notice to individuals every time you collect personal information from them? Yes or no. If yes, how do you do this (for example, notice on paper or online form used to collect personal information, notice sent annually)?

### **5. Public Records Act Disclosures**

Do you have copy of written procedures for how you respond to Public Records Act requests? Yes or no. If yes, please attach.

### **6. Retention and Destruction Schedule**

Is this records system listed on your agency's Record Retention Schedule? Yes or no.

### **7. Procedure for Reporting Privacy/Security Incidents**

Do you have a written procedure for reporting privacy/security incidents that may involve personal? Yes or no. If yes, please attach.

## NOTES:

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<sup>1</sup> Government Code § 19019.9. Each state department and state agency shall enact and maintain a permanent privacy policy, in adherence with the Information Practices Act of 1977 (Title 1.8 (commencing with Section 1798) of Part 4 of Division 3 of the Civil Code), that includes, but is not limited to, the following principles:

- (a) Personally identifiable information is only obtained through lawful means.
- (b) The purposes for which personally identifiable data are collected are specified at or prior to the time of collection, and any subsequent use is limited to the fulfillment of purposes not inconsistent with those purposes previously specified.
- (c) Personal data shall not be disclosed, made available, or otherwise used for purposes other than those specified, except with the consent of the subject of the data, or as authorized by law or regulation.
- (d) Personal data collected must be relevant to the purpose for which it is collected.
- (e) The general means by which personal data is protected against loss, unauthorized access, use modification or disclosure shall be posted, unless that disclosure of general means would compromise legitimate state department or state agency objectives or law enforcement purposes.
- (f) Each state department or state agency shall designate a position within the department or agency, the duties of which shall include, but not be limited to, responsibility for the privacy policy within that department or agency.

<sup>2</sup> Civil Code § 1798.20. Each agency shall establish rules of conduct for persons involved in the design, development, operation, disclosure, or maintenance of records containing personal information and instruct each such person with respect to such rules and the requirements of this chapter, including any other rules and procedures adopted pursuant to this chapter and the remedies and penalties for noncompliance.

<sup>3</sup> Civil Code § 1798.30. Each agency shall either adopt regulations or publish guidelines specifying procedures to be followed in order fully to implement each of the rights of individuals set forth in this article.

<sup>4</sup> Civil Code section 1798.17. Each agency shall provide on or with any form used to collect personal information from individuals the notice specified in this section. When contact with the individual is of a regularly recurring nature, an initial notice followed by a periodic notice of not more than one-year intervals shall satisfy this requirement. This requirement is also satisfied by notification to individuals of the availability of the notice in annual tax-related pamphlets or booklets provided for them. The notice shall include all of the following:

- (a) The name of the agency and the division within the agency that is requesting the information.
- (b) The title, business address, and telephone number of the agency official who is responsible for the system of records and who shall, upon request, inform an individual regarding the location of his or her records and the categories of any persons who use the information in those records.
- (c) The authority, whether granted by statute, regulation, or executive order which authorizes the maintenance of the information.
- (d) With respect to each item of information, whether submission of such information is mandatory or voluntary.
- (e) The consequences, if any, of not providing all or any part of the requested information.
- (f) The principal purpose or purposes within the agency for which the information is to be used.
- (g) Any known or foreseeable disclosures which may be made of the information pursuant to subdivision (e) or (f) of Section 1798.24
- (h) The individual's right of access to records containing personal information which are maintained by the agency. This section does not apply to any enforcement document issued by an employee of a law enforcement agency in the performance of his or her duties wherein the violator is provided an exact copy of the document, or to accident reports whereby the parties of interest may obtain a copy of the report pursuant to Section 20012 of the Vehicle Code. The notice required by this section does not apply to agency requirements for an individual to provide his or her name, identifying number, photograph, address, or similar identifying information, if this information is used only for the purpose of identification and communication with the individual by the agency, except that requirements for an individual's social security number shall conform with the provisions of the Federal Privacy Act of 1974 (Public Law 93-579).